

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
LOYD & VARGAS)
SERIAL NO.: 10/763,605)
FILED: January 22, 2004)
FOR: VARIABLE SPEED ELECTRICAL)
MOTOR WITH SEPARATE WINDINGS)
AND WITHOUT CENTRIFUGAL SWITCH)

PETITION TO MAKE SPECIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition that the above-identified application be made special and advanced out of turn for examination pursuant to 37 CFR § 1.102. This application has not yet received any examination.

In accordance with the guidelines set forth in MPEP § 708.02 (II), Applicants are submitting herewith the enclosed Statement in Support of Petition to Make Special which details:

(A) That there is an infringing device or product actually on the market; and

(B) That a rigid comparison of the alleged infringing device or product with the claims of the application has been made, and that, in the opinion of the declarant, some of the claims are unquestionably infringed;

The undersigned declarant has made or caused to be made a careful and thorough search of the prior art. References deemed to be most closely related to the subject matter encompassed by the claims of the present application are set forth in the Supplemental Information Disclosure Statement filed herewith.

Please charge the fee for the present petition set out in 37 CFR § 1.17(h), as well as any other fee associated with this document, to Deposit Account No. 19-2090.

Respectfully submitted,

SHELDON & MAK

Date: June 5, 2006

By: Denton L. Anderson
Denton L. Anderson
Reg. No. 30,153

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STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Michael Rees, declare as follows:

1. I am an employee of California Acrylic Industries, Inc., having corporate headquarters at 1462 East 9th Street, Pomona, California 91766. California Acrylic Industries, Inc. is an assignee of the present patent application. My job title is Corporate Technical Trainer.

2. I have become aware that a product which infringes the claims of the present patent application is currently being sold by May Manufacturing Inc., dba Artesia Spas, 4720 North Lamb Avenue, Las Vegas, Nevada 89115. The product is being advertised on the Internet and has been offered for sale at dealer locations in the United States. The product is advertised on the Internet

as Artesian Spas DIRECTFLOW switchless motor at
<http://www.artesianspas.com/main/direct.asp>.

3. I have made a rigid comparison of the product against the claims of the application, and, in my opinion, all of the claims of the present application (that is, claims 1-6) are unquestionably infringed.

I declare that all statements made of my own knowledge are true and all statements made on information or belief are believed to be true, and further, that the statements herein were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the application or document or any patent resulting therefrom.

Executed this 18 day of May, 2006, at Pomona,
California.

A handwritten signature in cursive script, reading "Michael W. Rees", written over a horizontal line.

Michael Rees